

REMARKS

Claims 1, 10, 16, 19 and 20 have been amended. The amendments to the claims are supported by the specification, at least at p. 60, line 12 through p. 61. New claims 23 – 30 have been added. No new matter has been added. Claims 1-8, 10, 16, 19, 20 and 23-30 are pending in this application.

Rejections under 35 U.S.C. § 102

Rejection over Potini et al.

Claims 1-8, 10, 16, 19 and 20 were rejected under 35 U.S.C. § 102(b) over Potini et al. (U.S. Pat. No. 5,607,908). The Office Action asserts that Potini et al. discloses a composition comprising 0.70% sodium chloride as an activating agent, 0.10% of a 1% solution of polyethylene glycol as an organic solvent, other components such as glycerin and polysiloxane, and water.

The rejection of the claims as anticipated by Potini et al. has been obviated by appropriate amendment. As amended, independent claims 1, 16 and 19 recite a wetting composition comprising a monovalent salt, an emollient, a fragrance, and a fragrance solubilizer. Although Potini et al. discloses a number of ingredients, the reference fails to disclose at least the ingredients of an emollient, a fragrance, and/or a fragrance solubilizer. Moreover, there is nothing in Potini et al. that would teach or suggest the use of an emollient, a fragrance or a fragrance solubilizer.

Applicants' specification describes emollients at p.55, line 24 through p.58, line 3. One of the uses of an emollient in the wetting composition may be to reduce any undesirable tactile attributes that may be exhibited by the wetting composition (p. 57, lines 15-17). In contrast, the contact lens cleaning solution of Potini et al. is not described as containing emollients, nor would one skilled in the art be motivated to add

an emollient to a contact lens cleaning solution intended for contact with the eye of a user. Applicants' specification describes fragrances at p.58, lines 24-31, and describes fragrance solubilizers at p.59, lines 2-16. The contact lens cleaning solution of Potini et al. is not described as containing a fragrance or a fragrance solubilizer, nor would one skilled in the art be motivated to add these ingredients to a contact lens cleaning solution. Thus, claims 1-8, 10, 16, 19 and 20 each recite claim elements that are not disclosed in Potini et al. and that have not been asserted by the Office Action as disclosed in the reference.

The Potini et al. reference fails to disclose each and every element of claims 1-8, 10, 16, 19 and 20. Accordingly, Potini et al. cannot anticipate the pending claims, and Applicants respectfully request that this rejection be withdrawn.

Double Patenting Rejection

The rejection of claims 1-8, 10, 16, 19 and 20 under the judicially created doctrine of obviousness-type double patenting is obviated by the filing of an appropriate terminal disclaimer. Pursuant to 37 CFR 1.130(b), a terminal disclaimer pursuant to 37 CFR 1.321(c) with respect to U.S. Pat. No. 6,444,214 is filed herewith. The present application and U.S. Pat. No. 6,444,214 are commonly owned by Kimberly-Clark Worldwide, Inc.

CONCLUSION

In conclusion, all of the grounds raised in the present Office Action for rejecting the application are believed to be overcome or rendered moot based on the remarks above. Thus, it is respectfully submitted that all of the presently presented claims are in form for allowance, and such action is requested in due course. Should the Examiner feel a discussion would expedite the prosecution of this application, the Examiner is kindly invited to contact the undersigned.

Submitted herewith is a Request for Continued Examination pursuant to 37 CFR § 1.114, and a Petition for Extension of Time for two (2) months.

Respectfully submitted,

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Jonathan P. Taylor, Ph.D.
Registration No. 48,338
Agent for Applicant

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200